

*Letter from the Attorney General,*

[Referred to in the preceding Report, and Printed by order of the House.]

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*Boston, 14th February, 1833.*

*To J. T. Buckingham, Esq. Chairman of the Committee on Lotteries, &c.*

Dear Sir,—In answer to your inquiry, I beg leave to say, that in my experience as to the operation of the lottery laws, and of others of a similar prudential character, the only difficulty has been to get legal evidence of their being violated, in legal form. Public officers may suspect and believe, and, indeed, know to a moral certainty, of offences under these statutes, but an indictment can be framed and carried through the court to conviction and judgment, only by the testimony of a witness giving evidence of his own knowledge to positive facts. The difficulty of procuring this evidence, arises from various quarters. First, it is nobody's especial duty to complain. Second, they who would be willing to complain, are not themselves in the possession of the necessary facts. Third, there is no sufficient inducement to men to spend their time in getting the information, on which prosecutions must be maintained. Fourth, on common occasions, and until the sympathy of the public is awakened by some alarming occurrence, the giving information voluntarily—the meddling in prosecutions for penalties—the appearing as a witness without compulsion, is always an odious affair. Our moral, intelligent and honorable citizens shrink from the task. Each is unwilling, ordinarily to go alone. A combination is necessary, and a com-